

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

VS.

NO.: 3:21-CR-107-NBB-RP

GILBERT MCTHUNEL II, et al.

NOTICE OF ISSUANCE

You will please take notice that the defendant, Gilbert McThunel II, by and through the undersigned counsel, has issued the following Subpoena Duces Tecum to:

Google
c/o Corporation Service Company
109 Executive Drive; Ste. 3
Madison, MS 39110

Respectfully submitted this the 3rd day of August, 2022.

GILBERT MCTHUNEL II, Defendant

BY: /s/ Paul Chiniche
Paul Chiniche (MSB#101582)
CHINICHE LAW FIRM, PLLC
Post Office Box 1202
Oxford, Mississippi 38655
Office: 662.234.4319
Email: pc@chinichelawfirm.com

CERTIFICATE OF SERVICE

I, PAUL CHINICHE, attorney for GILBERT MCTHUNEL, do hereby certify that I have on this date electronically filed the foregoing document with the Clerk of Court using the ECF system which sent notification of such filing to all counsel of record, including:

Mr. Robert Mims, Assistant United States Attorney
United States Attorney's Office
900 Jefferson Avenue
Oxford, MS 38655
Email: robert.mims@usdoj.gov

SO CERTIFIED this the 3rd day of August, 2022.

/s/ Paul Chiniche

Paul Chiniche (MSB#101582)

UNITED STATES DISTRICT COURT

for the

Northern District of Mississippi

United States of America

Plaintiff

v.

Jamarr Smith, Thomas Iroko Ayodele aka "ROKO"
and Gilbert McThunel, II

Defendant

Civil Action No. 3:21-CR-107-NBB-RP

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Google, c/o Corporation Service Company, 109 Executive Drive; Ste. 3, Madison, MS 39110

(Name of person to whom this subpoena is directed)

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

See Exhibit "A", attached hereto.

Place: Chiniche Law Firm, PLLC: Attn Paul Chiniche, Esq
PO Box 1202, Oxford, MS 38655
Email: pc@chinichelawfirm.com

Date and Time: Within 14 days after service
~~08/12/2022 5:00 pm~~

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 8/3/2022
07/29/2022 David Crews, Clerk of Court

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Gilbert McThunel, II, who issues or requests this subpoena, are:

Paul Chiniche, PO Box 1202, Oxford, MS 38655; pc@chinichelawfirm.com; 662.234.4319

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Exhibit A

Civil Action No. 3:21-CR-107-NBB-RP

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Exhibit A

EXHIBIT “A”

All records indicating when and how Gilbert McThunel enabled the “Location History” setting, including:

- a. Subscriber registration records for Gilbert McThunel’s account:
Phone number: 1-662-710-7511; and/or Google Account Number: 1060041395798;
- b. Audit logs for Gilbert McThunel’s account, including the “Google Account Change History;”
- c. Any records indicating the specific interface used to enable Location History on Gilbert McThunel’s account (i.e., whether it was a device-based consent flow versus a browser-based consent flow and the particular application or setup/setting option screen); and
- d. All written documentation describing the supported Location History consent flow(s), if any, in effect on the date on which Location History was enabled on Gilbert McThunel’s account.